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UNCLAS KINSHASA 000131

SIPDIS

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E.O. 12958: N/A

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SUBJECT: MLC VS. OLIVIER KAMITATU

REF: A. 05 KINSHASA 1956

[1](#)B. 05 KINSHASA 2017

[1](#)1. (SBU) The intraparty battle within the MLC has now moved to the courts. Olivier Kamitatu, the former MLC Secretary General and current Speaker of the National Assembly, has filed suit against the MLC for expelling him from his party post and attempting to remove him as Speaker. Kamitatu's November 24 letter to MLC Assembly members (reftel A) asking them to consider an alliance with potential presidential candidate Pierre Pay Pay sparked dissension between Kamitatu and party leader (and DRC Vice President) Jean-Pierre Bemba, and led the MLC's Board of Founders to expel him from the party (reftel B).

[1](#)2. (SBU) The Gombe Tribunal in Kinshasa heard arguments January 11. The court has not indicated when it will issue a ruling. On December 9, Bemba nominated a new MLC Secretary General, Francois Mwamba, the current Minister of Budget, to replace Kamitatu. Mwamba will be officially installed in his new post pending results of the court case.

[1](#)3. (SBU) Comment: The court's decision will rest on its interpretation of two contradictory documents - the All Global and Inclusive Accord and the Transitional Constitution. The former allocates the position of Speaker of the National Assembly to the MLC, from which Kamitatu has been expelled. The latter requires that the Speaker retain his post throughout the transition, barring exceptional circumstances (treason, death, corruption, embezzlement). It will be interesting to see which MLC Secretary General will attend the MLC Party Convention this weekend -- Kamitatu or Bemba's nominee -- and what effect Kamitatu's presence might have, should he choose to attend. End comment.
MEECE